

SERVICE PLAN CITY OF BULVERDE, TEXAS

SERVICE PLAN FOR ANNEXATION OF APPROXIMATELY 0.106 SQUARE MILES OF LAND GENERALLY LOCATED TO THE SOUTHEAST OF THE INTERSECTION OF US HWY 281 AND F.M. 1863, AND SOUTH OF THE CURRENT CITY LIMITS LINE ALONG F.M. 1863 EAST OF US HWY 281 TO THE EASTERLY RIGHT-OF-WAY LINE OF WILEY ROAD September 2015

This service plan shall be valid for ten (10) years from and after the effective date of the annexation ordinance annexing this specific land, all of which is lying within the City's Extraterritorial Jurisdiction (ETJ); legal description of said property described by metes and bounds attached as Exhibit A and all property incorporated herein by reference, is hereby added and annexed to the City of Bulverde, Texas and said territory as described shall hereafter be included within the boundary limits of said City, and the present boundary limits of said City, at the various points contiguous to the area described by metes and bounds in Exhibit "A". Renewal of the service plan shall be solely at the discretion of the City of Bulverde.

This service plan is a contractual obligation that is not subject to amendment or repeal except that if the City Council determines at public hearings required by Chapter 43 of the Texas Local Government Code, that changed conditions or subsequent occurrences make this service plan unworkable or obsolete, the City Council may amend the service plan to conform to the change conditions or subsequent occurrences. An amended service plan shall provide for services that are comparable to or better than those established in the service plan before amendment. Before any amendment is adopted, the City Council shall provide an opportunity for interested persons to be heard at public hearings called and held in the manner provided by Chapter 43 of the Texas Local Government Code.

Upon annexation of the area identified above and as more particularly identified in Exhibit A, the City of Bulverde will provide City services utilizing methods by which it extends services to any other equivalent area of the City.

SERVICES PROVIDED BY THE EFFECTIVE DATE OF ANNEXATION

As used in this plan, the term "services provided" includes having services provided by any method or means by which the City may extend municipal services to any other area of the City with like topography, land use and population density as those found within the newly annexed areas, including the City's infrastructure extension policies and developer or property owner participation in accordance with applicable City ordinances.

1. Police Protection

The City of Bulverde will provide law enforcement services to newly annexed areas at the same or similar level of service currently being provided to other areas of the City with like topography, land use and population density as those found within the newly annexed areas.

2. Fire Protection and Emergency Medical Services

The City of Bulverde does not have a municipal fire department. Fire Protection services are currently provided within the City by the Comal County Emergency Services Districts #4 and #5. The Comal County Emergency Services Districts #4 and #5 will continue to provide fire protection to newly annexed areas at the same or similar level of service currently being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed areas.

The City of Bulverde does not have a municipal Emergency Medical Service (EMS). EMS services are currently provided within the City by the Comal County Emergency Services District #1. The Comal County Emergency Services District #1 will continue to provide EMS services to newly annexed areas at the same or similar level of service currently being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed areas.

3. Maintenance of Water and Wastewater Facilities

All water and wastewater facilities owned or maintained by the City of Bulverde at the time of the proposed annexation shall continue to be maintained by the City of Bulverde. All water and wastewater facilities which may be acquired subsequent to the annexation of the proposed areas shall be maintained by the City of Bulverde to the extent of its ownership. The now existing water and wastewater mains at existing locations shall be available for the point of use extension based upon the City of Bulverde standard extension policy now existing or as may be amended. On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances.

4. Solid Waste Collection

Solid waste collection services are provided within the City of Bulverde by a solid waste management service provider who holds an exclusive franchise agreement with the City. Solid waste management services will be provided to citizens in the newly annexed areas at the same or similar level of service currently being provided to other areas of the City with like topography, land use and density as those found within the newly annexed areas. After the second anniversary of the annexation date, the City will prohibit the collection of solid waste in the area by any solid waste management service provider other than the solid waste management provider holding a franchise agreement with the City.

5. Maintenance of Roads, Streets and Control Devices

Any and all public roads, streets or alleyways shall be maintained to the same degree and extent that other public roads, streets, and alleyways are maintained in areas of the City with like topography, land use and density as those found within the newly annexed areas. Private roads will remain under the ownership of the homeowners association and as such maintained by the association. The City will assume the expenses for operation and maintenance of public streetlights at intersections, dead ends and other locations that conform to the City's policy for placing streetlights. Streetlights, traffic control devices and street name signs will be maintained by the City.

6. Maintenance of Parks, Playgrounds, and Swimming Pools

The City of Bulverde, Texas is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

7. Maintenance of any Publicly owned Facility, Building or Municipal Service

The City of Bulverde, Texas is not aware of the existence of any publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

8. Other Services

The City of Bulverde, Texas finds and determines that such services as planning, code enforcement, animal control, parks and recreation, court and general administration will be made available after the effective date of annexation at the same or similar level of service currently being provided to other areas of the City with similar topography, land use and density as those found within the newly annexed areas.

CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS TO BE COMPLETED WITHIN 2 ½ YEARS

1. Police and Fire Protection and Solid Waste Collection

The City of Bulverde, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City of Bulverde, Texas with like topography, land use and population density as those found within the newly annexed areas.

2. Water and Wastewater Facilities

The City of Bulverde, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing Water and Wastewater services. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City of Bulverde, Texas with like topography, land use and population density as those found within the newly annexed areas.

3. Roads and Streets

The City of Bulverde, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas.

4. Maintenance of Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or Service

The City of Bulverde, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of parks maintenance, playgrounds, swimming pools and other publicly owned facility, building or service.

SPECIFIC FINDINGS

The City of Bulverde, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation that were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.

TERMS

This plan shall be valid for a term of ten (10) years. Renewal of the Service Plan is at the sole discretion of the City of Bulverde.

LEVEL OF SERVICE

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

AMENDMENTS

The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.

PHASE 7
FIELD NOTE DESCRIPTION
OF APPROXIMATELY 0.106 SQUARE MILES
FOR POLITICAL BOUNDARY PURPOSES

BEING AN APPROXIMATELY 0.106 SQUARE MILE TRACT OF LAND SITUATED IN COMAL COUNTY, TEXAS, SAID 0.106 SQUARE MILE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, IN THE SOUTHERLY LINE OF THE EXISTING BULVERDE CITY LIMIT LINE, BEING IN THE EASTERLY RIGHT-OF-WAY LINE OF WILEY ROAD, SAME BEING THE WESTERLY LINE OF THAT CERTAIN 116.2 ACRE TRACT CONVEYED TO M2G FM 1863 LTD., FOR THE NORTHEASTERLY CORNER HEREOF;

THENCE, IN A SOUTHEASTERLY DIRECTION, LEAVING THE EXISTING BULVERDE CITY LIMIT LINE, ALONG A PORTION OF THE COMMON BOUNDARY LINE OF SAID 116.2 ACRE TRACT AND WILEY ROAD, AND INTO A PORTION OF THAT CERTAIN 387.057 ACRE TRACT CONVEYED TO CIBOLO VALLEY RANCH LTD., AN APPROXIMATE DISTANCE OF 1,540 FEET TO THE SOUTHEASTERLY CORNER HEREOF;

THENCE, IN A SOUTHWESTERLY DIRECTION, INTO AND ACROSS SAID 387.057 ACRE TRACT AND LOT 8, WEIDNER 2 SUBDIVISION, AN APPROXIMATE DISTANCE OF 1,787 FEET TO A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF ANCESTRAL TRAIL, BEING THE WESTERLY LINE OF SAID LOT 8;

THENCE, IN A SOUTHWESTERLY DIRECTION, ACROSS ANCESTRAL TRAIL, AN APPROXIMATE DISTANCE OF 60 FEET TO A POINT IN THE WESTERLY RIGHT-OF-WAY LINE OF ANCESTRAL TRAIL, BEING THE COMMON EASTERLY CORNER OF LOT 2, WEIDNER 3 SUBDIVISION AND LOT 5, WEIDNER 2 SUBDIVISION;

THENCE, IN A SOUTHWESTERLY DIRECTION, ALONG A PORTION OF THE COMMON BOUNDARY LINE OF SAID LOT 2, WEIDNER 3 SUBDIVISION AND SAID LOT 5, WEIDNER 2 SUBDIVISION, AN APPROXIMATE DISTANCE OF 437 FEET TO A POINT IN THE SOUTHERLY LINE OF THE EXISTING BULVERDE CITY LIMIT LINE, FOR THE SOUTHWESTERLY CORNER HEREOF;

THENCE, IN A NORTHEASTERLY DIRECTION, ALONG THE EXISTING BULVERDE CITY LIMIT LINE, INTO AND ACROSS THE FOLLOWING TRACTS: LOTS 1-2, WEIDNER 3 SUBDIVISION, ANCESTRAL TRAIL, LOTS 1-7 AND LOT 9, BLOCK 1, BULVERDE COMMERCIAL 1 SUBDIVISION, AND LOT 10, BLOCK 1, BULVERDE COMMERCIAL 2, AN APPROXIMATE DISTANCE OF 1,998 FEET TO THE NORTHWESTERLY CORNER HEREOF;

THENCE, IN A SOUTHEASTERLY DIRECTION, ALONG THE EXISTING BULVERDE CITY LIMIT LINE, INTO AND ACROSS SAID LOT 10, BLOCK 1, BULVERDE COMMERCIAL 2 SUBDIVISION AND THAT CERTAIN 45.81 ACRE TRACT CONVEYED TO M2G FM 1863 LTD., AN APPROXIMATE DISTANCE OF 1,169 FEET TO A POINT IN THE WESTERLY RIGHT-OF-WAY LINE OF WILEY ROAD, BEING THE EASTERLY LINE OF SAID 45.81 ACRE TRACT;

THENCE, IN A SOUTHEASTERLY DIRECTION, ALONG THE EXISTING BULVERDE CITY LIMIT LINE, ACROSS WILEY ROAD, AN APPROXIMATE DISTANCE OF 40 FEET TO THE **POINT OF BEGINNING**, CONTAINING AN AREA OF APPROXIMATELY 0.106 SQUARE MILES OF LAND, MORE OR LESS;

POLITICAL BOUNDARY ANNEXATION
TO CITY OF BULVERDE
PHASE-7 EXHIBIT



BULVERDE RD (1863)

U.S. HWY 281 N

M2G
FM 1863 LTD
116.2 ACRES

EXISTING
BULVERDE
CITY LIMITS

POINT OF
BEGINNING

M2G DEVELOPMENT
PROPERTIES LTD
5619
BULVERDE COMMERCIAL 2,
BLOCK 1, LOT 10, 1.0± ACRE
OUT OF 4.22 ACRE

M2G DEVELOPMENT PROPERTIES LTD
5604
BULVERDE COMMERCIAL 1,
BLOCK 1, LOT 2, 0.04± ACRE
OUT OF 0.93 ACRES

M2G REAL ESTATE LTD
5608
BULVERDE COMMERCIAL 1,
BLOCK 1, LOT 4, 1.9± ACRES
OUT OF 3.235 ACRES

M2G REAL ESTATE LTD
5610
BULVERDE COMMERCIAL 1,
BLOCK 1, LOT 5, 1.5± ACRES
OUT OF 3.58 ACRES

M2G DEVELOPMENT
PROPERTIES LTD
5614
BULVERDE COMMERCIAL 1,
BLOCK 1, LOT 7, 1.9± ACRES
OUT OF 3.305 ACRES

M2G FM 1863 LTD
75151
A-174 SUR-194 A GAYTAN,
39.5± ACRES
OUT OF 45.81 ACRES

CIBOLO VALLEY RANCH LTD
75193
A-174 SUR-194 A GAYTAN,
4.9± ACRES OUT OF
387.057 ACRES

CIBOLO VALLEY RANCH LTD.
387.057 ACRES

M2G DEVELOPMENT
PROPERTIES LTD 5603
BULVERDE COMMERCIAL 1,
BLOCK 1, LOT 1, 0.01± ACRE
OUT OF 1.298 ACRE

M2G DEVELOPMENT
PROPERTIES LTD 5606
BULVERDE COMMERCIAL 1,
BLOCK 1, LOT 3, 0.001± ACRE
OUT OF 0.807 ACRE

M2G DEVELOPMENT
PROPERTIES LTD 5612
BULVERDE COMMERCIAL 1,
BLOCK 1, LOT 6, 1.1± ACRES
OUT OF 2.053 ACRES

M2G DEVELOPMENT
PROPERTIES LTD 5618
BULVERDE COMMERCIAL 1,
BLOCK 1, LOT 9, 1.9± ACRES
OUT OF 2.11 ACRES

M2G FM 1863 LTD
104710
WEIDNER 3, LOT 1, 0.47± ACRES
OUT OF 0.7± ACRES
OUT OF 4.806 ACRES

WEIDNER SUB PROP
OWNERS ASSOC
68587
WEIDNER 3, LOT 100, 1.1± ACRES
OUT OF 4.294 ACRES

CADENA JOHN & MARIA
FAMILY PARTNERSHIP LTD
68582
WEIDNER 2, LOT 7, 6.12±
ACRES OUT OF 6.12 ACRES

CONFIDENTIAL
68583
WEIDNER 2, LOT 8, 2
1± ACRES OUT OF 5.0 ACRES

M2G FM 1863 LTD
104712
WEIDNER 3, LOT 2, 3.7±
ACRES
OUT OF 5.01 ACRES

LOT 5 WEIDNER 2